

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JEFFREY KLEIN, et al.,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiffs</b>	:	
	:	
<b>v.</b>	:	<b>NO. 04-955</b>
	:	
<b>NATIONAL PASSENGER</b>	:	
<b>RAILROAD CORPORATION, a/k/a</b>	:	
<b>AMTRAK, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**STENGEL, J.**

**AND NOW**, this 2nd day of October, 2006, upon consideration of plaintiffs' motion for reconsideration of my Order of July 13, 2006 granting summary judgment in favor of Norfolk Southern (Document #67), and defendants' response thereto (Document #73), it is hereby ORDERED that the motion is GRANTED.

IT IS FURTHER ORDERED that the July 13, 2006 Order is REVERSED, Norfolk Southern's motion for summary judgment is DENIED, and the plaintiffs' claims against Norfolk Southern shall proceed to the jury.

BY THE COURT:

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/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.